



Sept 17, 2024

PRESS RELEASE: East Coast Prison Justice Society Visiting Committee Report on Conditions of Confinement in NS Provincial Jails

Today, East Coast Prison Justice Society is releasing the third Annual Report of its Visiting Committee project (“VC”) on conditions of confinement in Nova Scotia jails. **Please find the report attached and at <https://www.eastcoastprisonjustice.ca/press-releases.html>.**

The mandate of the VC is to raise awareness about conditions in Nova Scotia jails and inform the decision-making of Nova Scotia Correctional Services (“NSCS”) and Nova Scotia Health (“NSH”), with the hope of promoting systemic change. We also engage in individualized non-legal advocacy, working with prisoners and correctional staff to resolve individual problems when they arise. The 2022-23 report documents calls received between September 1, 2022 and August 31, 2023. In that period, we documented a total of **790 received calls and voicemails** — an average of **66 calls per month**. This does not include attempted calls / hang-ups during off-hours or calls missed while the line was busy.

This year’s report is dedicated to **six individuals who died in provincial jail custody from January 2023 to date**. Two of those who died, Sarah Rose Denny and Peter Paul, were Indigenous. Three of those who died reportedly took their own lives. This is an unprecedented number of jail deaths occurring in such a short span of time.

This alone raises serious concerns about whether provincial authorities are meeting their responsibilities to protect the health and safety of provincially incarcerated people. While no one deserves to have their basic health and life neglected, it is important to note that the majority of provincially incarcerated people in Nova Scotia (over 70% for 2022-2023) are in jail pre-trial and thus have yet to be found innocent or guilty, and often experience overlapping forms of social exclusion and discrimination.

Our 2022-23 report’s core themes reflect the primary concerns raised by incarcerated persons calling in to our phone line in the reporting period, and echo the core themes highlighted in past years:

- 1) Jail lockdowns**, i.e., prolonged and repeated in-cell isolation across entire units or facilities. Nova Scotia corrections has long used lockdowns to deal with staff shortages — particularly at Central Nova Scotia Correctional Facility (Burnside Jail). Our prisoner calls reflected the widely acknowledged fact that prolonged in-cell isolation produces extreme physical and psychological suffering, while also interfering with access to essential health and legal services. Continued reliance on lockdowns as a response to staffing problems was declared illegal by a Nova Scotia Supreme Court judge in January 2024. Our 2022-23 report reminds of the human cost of this dangerous institutional practice;
- 2) Lack of access to responsive health services**. Prisoner frustrations with lack of access to health and dental care are related in part to lockdowns, which as noted worsen health

problems and disrupt health care access. However, we also document a range of further problems affecting correctional health care which again reflect concerns raised in past years. These include disruption to essential medications upon incarceration and failure to meet the standards of care in place in other provincial correctional health systems on providing supports (including Opioid Agonist Therapy as well as counselling and other trauma-informed therapies) to persons with substance use problems.

We also document continuing concerns about:

Access to Indigenous Spiritual Supports, including but not limited to lack of daily access to smudging. We include in our recommendations on this point that the province fund Mi'kmaw Legal Support Network to work with other key Indigenous organizations to establish community-led Indigenous holistic health liaisons whose roles may include meeting with Indigenous individuals to help with bail / release planning and providing spiritual and other holistic health supports for those incarcerated and transitioning from jail to community.

These and other conditions and treatment reported on in our 2022-23 report engage fundamental human rights to life, liberty, and security of the person, as well as equality and Indigenous self-governance.

The report concludes with 42 recommendations (which it consolidates by agency / organization responsible in Appendix A). Appendix B provides a lookback to the recommendations from our 2021-22 and 2020-21 reports with the associated responses from NSCS and NSH Correctional Health Services.

As in past years, a core message of our report — and our first recommendation — relates to **the importance of independent monitoring of places of detention**. We call upon the Premier and Minister of Justice to demonstrate their commitment to accountability and transparency in Nova Scotia provincial jails by:

1. Overseeing the implementation of, and continuing to provide updates on, our recommendations;
2. Enacting legislation to require independent monitoring of places of detention, inclusive of a statutorily enshrined role for community groups to assist in fulfilling this function; and
3. Conveying Nova Scotia's support for Canada's ratification of the United Nations' Optional Protocol to the Convention Against Torture (OPCAT) and committing to fulfil the OPCAT requirements of independent monitoring of places of detention.

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